

Absent-excused: Clower, Truan.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

Question - Shall the bill be passed to engrossment?

MEMORIAL RESOLUTIONS

S.R. 616 - by Moore: Memorial resolution for Raymond B. Buchanan.

S.R. 617 - by Adams: Memorial resolution for Will Nettles.

S.R. 619 - by Snelson: Memorial resolution for Sam Holt Walk.

S.R. 620 - by Snelson: Memorial resolution for Thomas F. Daniels.

S.R. 624 - by Doggett: Memorial resolution for Wilmer Allison.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 615 - by Hance: Extending welcome to Reverend Bob Mize.

S.R. 618 - by Brooks: Extending congratulations to Oscar Snowden.

S.R. 621 - by Snelson: Extending congratulations to Mrs. H. N. (Ada) Phillips.

S.R. 622 - by Snelson: Extending congratulations to Berte R. Haigh.

S.R. 623 - By Brooks, Ogg, Mengden, Jones of Harris, Williams, Schwartz: Extending congratulations to University of Houston.

RECESS

On motion of Senator Aikin the Senate at 1:37 o'clock p.m. took recess until 8:30 o'clock a.m. tomorrow.

SIXTY-SECOND DAY

(Continued)

(Friday, May 6, 1977)

AFTER RECESS

The Senate met at 8:30 o'clock a.m. and was called to order by Senator Adams.

REPORT OF STANDING COMMITTEE

Senator Brooks submitted the following report for the Committee on Human Resources:

C.S.S.B. 392 (Read first time)

MESSAGE FROM THE HOUSE

House Chamber
May 6, 1977

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

All necessary rules suspended, and the House concurred in Senate amendments to House Bill No. 1792 by a non-record vote.

S.B. No. 659, Laid on table by Record Vote:

80 Ayes
63 Noes
1 PNV

The House refused to concur in Senate amendments to House Bill No. 1793 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

House Conferees: Grant, chairman
Maloney
Rudd
Cain
Ezzell

H.B. 510, Appropriating money for the support of the Judicial, Executive and Legislative Branches of the State Government, for the construction of State buildings, and for State aid to public junior colleges, for the period beginning September 1, 1977, and ending August 31, 1979;....; and declaring an emergency.

All necessary rules suspended, and the House concurred in Senate amendments to House Bill No. 128 by a non-record vote.

All necessary rules suspended, and the House concurred in Senate amendments to House Bill No. 285 by a non-record vote.

All necessary rules suspended, and the House concurred in Senate amendments to House Bill No. 704 by a non-record vote.

All necessary rules suspended, and the House concurred in Senate amendments to House Bill No. 926 by a vote of 113 Ayes, 0 Noes, 11 Present-Not Voting.

All necessary rules suspended, and the House concurred in Senate amendments to House Bill No. 788 by a non-record vote.

Respectfully submitted,
BETTY MURRAY, Chief Clerk
House of Representatives

HOUSE BILL ON FIRST READING

The following bill received from the House, was read the first time and referred to the Committee indicated:

H.B. 510, To Committee on Finance.

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Adams in Chair) announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with the provisions of **S.R. 32**.

The following bills were laid before the Senate, read second time, passed to engrossment, read third time and passed: (Sponsor, vote on suspension of the Constitutional Three-Day Rule and final passage indicated after each bill.)

S.B. 532 (Harris) Relating to permitting educational cosmetology programs without temporary licensing of participants under certain conditions. (30-1) Mauzy "Nay" (30-1) Mauzy "Nay"

S.B. 890 (Sherman) Relating to a process for legislative review of proposed rules of state agencies. (30-1) Doggett "Nay" (30-1) Doggett "Nay"

S.B. 957 (Jones of Harris) Amending the Texas Water Code; relating to contracts for drainage improvements. (30-1) Mauzy "Nay" (30-1) Mauzy "Nay"

C.S.S.B. 1064 (Mauzy) Relating to the creation of the office of county budget officer in certain counties. (30-1) Adams "Nay" (30-1) Adams "Nay"

C.S.S.B. 1094 (Ogg) Relating to regulating write-in candidacy for public office. (31-0)(31-0)

S.B. 1168 (Doggett) Relating to regulation of auctions. (31-0)(31-0)

S.B. 1223 (Santiesteban) Relating to the reorganization of the 205th and 210th Judicial Districts. (31-0)(31-0)

S.B. 1246 (Traeger) Relating to the transfer of custody and control of part of the property known as Alamo Park Complex to the Daughters of the Republic of Texas. (31-0)(31-0)

S.B. 1248 (Adams) Relating to certain political advertising. (30-1) Mauzy "Nay" (30-1) Mauzy "Nay"

S.B. 1264 (Longoria) Relating to authorizing the TEC to sell certain property located in Hidalgo County. (31-0)(31-0)

S.B. 1268 (Traeger) Authorizing the TEC to sell certain property located in Webb County. (31-0)(31-0)

S.B. 1279 (McKnight) Relating to the membership of the Smith County Juvenile Board. (31-0)(31-0)

C.S.S.B. 1284 (Jones of Taylor) Relating to clarifying that certain tangible property need not be consigned to qualify for freeport protection. (30-1) Mauzy "Nay" (30-1) Mauzy "Nay"

S.B. 1286 (Adams) Relating to the maintenance of bonds and insurance and the renewal of licenses in the regulation of liquified petroleum gas. (31-0)(31-0)

C.S.S.B. 1291 (Longoria) Relating to buck deer in Brooks County. (31-0)(31-0)

S.C.R. 76 (Schwartz) Directing the Natural Resources Council to undertake a study. (vv)

S.C.R. 77 (Schwartz) Requesting the governor to conduct a study regarding the Texas Gulf Coast. (vv)

S.C.R. 78 (Schwartz) Relating to legislative recognition of the importance of the coastal wetlands. (vv)

S.R. 471 (Schwartz) Directing the Coastal and Marine Council to undertake a study. (vv)

H.B. 52 (Santiesteban) Relating to authorizing the establishment of a foreign trade zone in El Paso. (31-0)(31-0)

H.B. 567 (Traeger) Relating to bid security on proposed construction contracts in water control and improvement districts. (31-0)(31-0)

H.B. 700 (Schwartz) Relating to the punishment of persons using or possessing, and to the seizure and disposition of, illegal nets and other devices used for catching aquatic life. (31-0)(31-0)

H.B. 949 (Williams) Relating to the sale of certain fireworks in certain counties. (31-0)(31-0)

H.B. 1181 (Traeger) Relating to protection of Texas caverns and caves. (31-0)(31-0)

H.B. 1195 (Traeger) Relating to the open seasons for hunting javelina, turkey and quail in La Salle County. (31-0)(31-0)

H.B. 1357 (Traeger) Relating to adding Webb County to the list of counties in which predator control from aircraft may be permitted. (31-0)(31-0)

H.B. 1729 (Moore) Relating to the taking of deer in Trinity County. (31-0)(31-0)

H.B. 1747 (Sherman) Relating to the creation of the Llano Estacado Water District. (31-0)(31-0)

H.B. 2133 (Parker) Relating to the compensation of the directors of the Orange County Drainage District. (31-0)(31-0)

H.B. 2138 (Longoria) Relating to the use of bonds of the Hidalgo County Drainage District No. 1 as investments for certain entities and security for certain funds. (31-0)(31-0)

H.B. 2159 (Aikin) Relating to the applicability of the Uniform Wildlife Regulatory Act to the wildlife resources of Camp County. (31-0)(31-0)

H.C.R. 101 (Patman) Memorializing Congress in regard to the Federal Meat Inspection Act and the Poultry Products Inspection Act. (vv) Mauzy "Nay"

The following bills were laid before the Senate, read second time, amended, passed to engrossment, read third time and passed: (Amendment printed following bill number and caption, as well as the vote on suspension of Constitutional Three-Day Rule and final passage.)

C.S.S.B. 1040 (Mauzy) Relating to economic education programs in the public schools. (30-1) Doggett "Nay" (30-1) Doggett "Nay"

Senator Mauzy offered the following amendment to the bill:

Amend Section 1, **C.S.S.B. 1040** by Mauzy by deleting,

"Instruction shall be given in accordance with the course of study prescribed by the State Board of Education for at least one quarter, equal to one-half unit of credit. Credit for the course shall be prerequisite for graduation"

in 'Section 21.120 (e) (5).'

The amendment was read and was adopted.

On motion of Senator Mauzy and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

C.S.S.B. 1182 (Brooks) Relating to the use of criminal convictions by certain state licensing authorities to suspend or revoke existing valid occupational licenses. (31-0)(31-0)

Senator Adams offered the following amendment to the bill:

Amend Section 2, Subsection 4, of **S.B. 1182** to read as follows:

"(4) 'Licensing authority' means an agency, commission, department, board, city, or other entity authorized to license persons for occupations, except the Judicial Department and its agencies."

The amendment was read and was adopted.

Senator Adams offered the following amendment to the bill:

Amend Section 6 of **S.B. 1182** to read as follows:

"Sec. 6. All laws, parts of laws, rules or regulations which require or permit those licensing authorities as defined in Section 2, Subsection 4, of this Act to determine whether a crime involves moral turpitude, what is good moral character, or similar criteria, however phrased, in licensing proceedings are void to the extent of the language, requirement, or provision only, and the provisions of this Act shall prevail over them. This Act does not otherwise affect the proceedings of licensing authorities."

The amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

S.B. 1303 (Ogg) Relating to compromise and settlement of certain taxes due the state by the comptroller. (31-0)(31-0)

Senator Ogg offered the following committee amendment to the bill:

Amend **S.B. No. 1303** on page 1, line 17 by deleting "\$300" and inserting "\$1,000" in its place.

The committee amendment was read and was adopted.

On motion of Senator Ogg and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 8 (Traeger) Relating to authorizing the executive director of the Parks & Wildlife Department to commission deputy game wardens. (29-2) Mauzy, Farabee "Nay" (29-2) Mauzy, Farabee "Nay"

Senator Traeger offered the following committee amendment to the bill:

Amend House Bill No. 8, Sub-section (c), by adding at the end of the sub-section the following:

Commissioned Deputy Game Wardens will be restricted to performing Game and Fish enforcement duties while in the official full dress uniform of the Parks and Wildlife Department, and nothing in this act shall permit a Commissioned Deputy Game Warden to serve in this capacity on the coastal waters, bays, or estuaries of this State. The duties of a Commissioned Deputy Game Warden shall extend only to within 1500 feet of the boundary of those distinct tracts of land with continuous and unbroken boundary which are owned or operated by said warden, or on which said warden is employed by the owner or operator.

The committee amendment was read and was adopted.

Senator Traeger offered the following committee amendment to the bill:

Amend **H.B. 8**, Sec. 11.020 (b) by changing the word "may" to "shall" after the word "commission" on Page 1, line 17.

The committee amendment was read and was adopted.

On motion of Senator Traeger and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CONCLUSION OF SESSION FOR LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Adams in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

ADJOURNMENT

On motion of Senator Aikin the Senate at 9:10 o'clock a.m. adjourned until 10:30 o'clock a.m., Monday, May 9, 1977.

SIXTY-THIRD DAY (Monday, May 9, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

A quorum was announced present.

The Reverend Harold O'Chester, Allandale Baptist Church, Austin, Texas, offered the invocation as follows:

Our Father, we thank You so much for the joy and the privilege that is ours to approach Your throne of grace. We do so through the access we have in Christ Jesus. And Father, as we look upon this day and the next several weeks ahead of these men and women, we ask, Dear Father, that You will give them wisdom and discernment, that You will give them the kind of understanding that perhaps is outside of their own ability, understanding that will come from above. We thank You, Father, that You have guided this body over many, many months. We pray, Father, that as they deliberate bills and other matters of extreme importance to the citizens of Texas that You will so guide them that they will be able to make the kind of decisions that will be pleasing with You.

And so we thank You for the joy that is ours to begin a new day and a new week, and we pray that You will minister to our needs according to Your riches in glory by Christ Jesus, for we ask it in His Name. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 6, 1977, was dispensed with and the Journal was approved.